

REMARKS

Claims 1-48 were presented for examination and were pending in this application. In an Official Action mailed July 25, 2006, claims 1-7, 10-27, 30-38 and 41-48 were rejected and claims 8-9, 28-29 and 39-40 were objected to. As listed above in the claims section, Applicant herein amends claims and Applicant herein cancels claims, without prejudice. Applicant now requests reconsideration and allowance of all listed claims.

Applicant thanks Examiner for examination of the claims pending in this application and for agreeing to allow the pending claims as amended. Applicant addresses Examiner's comments below.

In paragraph 6 of the Official Action, Examiner rejected claims 1 and 16 under 35 USC 112 because of insufficient antecedent basis for the phrase "the traffic mode" in each claim. In response, the claims have been amended to recite the phrase "a traffic mode."

In paragraph 9 of the Official Action, Examiner rejected claims 1, 13-16, 21, 30-32, 41-43 and 47 under 35 USC 103(a) as being unpatentable over Joy (US 6,507,862) in view of Ebner (US 6,928,525) and Yu (US 6,345,345). In paragraph 23, Examiner rejected claims 2-4, 7, 17, 19, 22-24, 27, 33-34, 37-38 and 44-46 under 35 USC 103(a) using the same references further in view of Lentz (US 6,219,763); in paragraph 41 rejected claims 5-6, 18, 25-26 and 35-36 under 103(a) using the same references further in view of Thekkath (US 6,490,642); in paragraph 49, rejected claims 10-11 under 35 USC 103(a) using the same references further in view of O'Dowd (US 5,235,595); and in paragraph 52 rejected claims 12, 20 and 48 under 35 USC 103(a) further in view of Bass (US 6,769,033).

However, in paragraph 59, Examiner indicated that claims 8-9, 28-29 and 39-40 would be allowable if rewritten in independent form. This position was reaffirmed in the interview summary of August 18, 2008 with respect to claims 8 (high traffic mode) and 9 (low traffic mode). To traverse the rejection, Applicant has amended independent claims 1, 21 and 32 and

added new claim 50 to include the limitations of claim 8. Further, Applicant has amended independent claims 16 and 43 and added new claims 49 and 51 to include the limitations of claim 9.

CONCLUSION

In sum, Applicant respectfully submits that the claims as presented herein, are patentably distinguishable over the cited reference (including references cited, but not applied). Therefore, Applicant requests reconsideration and allowance of these claims.

In addition, Applicant respectfully invites Examiner to contact Applicant's representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,
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